

Brian C. Rocca, S.B. #221576  
brian.rocca@morganlewis.com  
Sujal J. Shah, S.B. #215230  
sujal.shah@morganlewis.com  
Michelle Park Chiu, S.B. #248421  
michelle.chiu@morganlewis.com  
Minna Lo Naranjo, S.B. #259005  
minna.naranjo@morganlewis.com  
Rishi P. Satia, S.B. #301958  
rishi.satia@morganlewis.com  
**MORGAN, LEWIS & BOCKIUS LLP**  
One Market, Spear Street Tower  
San Francisco, CA 94105  
Telephone: (415) 442-1000

Richard S. Taffet, *pro hac vice*  
richard.taffet@morganlewis.com  
**MORGAN, LEWIS & BOCKIUS LLP**  
101 Park Avenue  
New York, NY 10178  
Telephone: (212) 309-6000

Ian Simmons, *pro hac vice*  
isimmons@omm.com  
Benjamin G. Bradshaw, S.B. #189925  
bbradshaw@omm.com  
**O'MELVENY & MYERS LLP**  
1625 Eye Street, NW  
Washington, DC 20006  
Telephone: (202) 383-5300

*Attorneys for Defendants*

Glenn D. Pomerantz, S.B. #112503  
glenn.pomerantz@mto.com  
Kuruvilla Olasa, S.B. #281509  
kuruvilla.olasa@mto.com  
**MUNGER, TOLLES & OLSON LLP**  
350 South Grand Avenue, Fiftieth Floor  
Los Angeles, California 90071  
Telephone: (213) 683-9100

Kyle W. Mach, S.B. #282090  
kyle.mach@mto.com  
Justin P. Raphael, S.B. #292380  
justin.raaphael@mto.com  
Emily C. Curran-Huberty, S.B. #293065  
emily.curran-huberty@mto.com  
**MUNGER, TOLLES & OLSON LLP**  
560 Mission Street, Twenty Seventh Floor  
San Francisco, California 94105  
Telephone: (415) 512-4000

Jonathan I. Kravis, *pro hac vice*  
jonathan.kravis@mto.com  
**MUNGER, TOLLES & OLSON LLP**  
601 Massachusetts Avenue NW, Suite 500E  
Washington, D.C. 20001  
Telephone: (202) 220-1100

Daniel M. Petrocelli, S.B. #97802  
dpetrocelli@omm.com  
Stephen J. McIntyre, S.B. #274481  
smcintyre@omm.com  
**O'MELVENY & MYERS LLP**  
1999 Avenue of the Stars  
Los Angeles, California 90067  
Telephone: (310) 553-6700

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**IN RE GOOGLE PLAY STORE  
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

*Epic Games, Inc. v. Google LLC*, Case No.  
3:20-cv-05671-JD

Case No. 3:21-md-02981-JD

**DECLARATION OF IAN SIMMONS  
IN SUPPORT OF DEFENDANTS'  
ADMINISTRATIVE MOTION TO  
SEAL PORTIONS OF THEIR  
ANSWER, DEFENSES, AND  
COUNTERCLAIMS TO EPIC GAMES,  
INC.'S FIRST AMENDED  
COMPLAINT FOR INJUNCTIVE  
RELIEF**

Judge James Donato

I, Ian Simmons, declare as follows:

1. I am a Partner at O'Melveny & Myers LLP, counsel for Defendants Google LLC, Google Ireland Limited, Google Commerce Ltd., Google Asia Pacific Pte. Ltd., and Google Payment Corp. (collectively, "Google") in the above-captioned matter. I am admitted to appear before this Court *pro hac vice*.

2. I submit this declaration pursuant to Civil Local Rule 79-5. The contents of this declaration are based on my personal knowledge, and if called as a witness in this matter, I could and would testify thereto.

3. I submit this declaration in support of Google's Administrative Motion to Seal Portions of its Answer, Defenses, and Counterclaims to Epic Games, Inc.'s ("Epic") First Amended Complaint for Injunctive Relief ("Motion to Seal") that are sourced from documents that Epic has designated as "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" or "CONFIDENTIAL" pursuant to the Protective Order entered by this Court, ECF No. 143. Google is serving its Motion to Seal on Epic pursuant to Civil Local Rule 79-5(e).

4. The following table shows the portions of Google's Answer, Defenses, and Counterclaims to Epic's First Amended Complaint for Injunctive Relief that have been redacted because they contain information designated as "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" or "CONFIDENTIAL" by Epic.

Portion Containing Designated Information	Designating Party
Counterclaim ¶ 25	Epic
Counterclaim ¶ 29	Epic
Counterclaim ¶ 34	Epic
Counterclaim ¶ 36	Epic

Portion Containing Designated Information	Designating Party
Counterclaim ¶ 40	Epic
Counterclaim ¶ 43	Epic
Counterclaim ¶ 72	Epic

5. Google takes no position on whether the materials identified in this table are privileged, protectable as a trade secret, or otherwise entitled to protection under the law, as required for material to be sealable under Civil Local Rule 79-5(b). Google has requested to seal this information to comply with Civil Local Rule 79-5(e) and to give Plaintiff the opportunity to argue the merits of this issue.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on October 11, 2021 in Washington, D.C.

Respectfully submitted,

By: /s/ Ian Simmons  
 Ian Simmons (*pro hac vice*<sup>1</sup>)  
 O'Melveny & Myers LLP

*Counsel for Defendants*

<sup>1</sup> *Pro hac vice* pending in Case No. 3:21-md-02981-JD.